
Appeal Decision

Site visit made on 28 October 2025

by **N Robinson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 November 2025

Appeal Ref: APP/P0119/W/25/3371735

1 West Street, Kingswood, South Gloucestershire BS15 8JJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Luke Stovell (Stovell Properties Ltd) against the decision of South Gloucestershire Council.
 - The application Ref is P25/00894/F.
 - The development proposed is change of use from small HMO (Class C4) to 7no. bedroom HMO (for 7no. persons) (Sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
-

Decision

1. The appeal is allowed and planning permission is granted for change of use from small HMO (Class C4) to 7no. bedroom HMO (for 7no. persons) (Sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) at 1 West Street, Kingswood, South Gloucestershire BS15 8JJ in accordance with the terms of the application, Ref P25/00894/F, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are the effect of the proposal on:
 - the living conditions of the occupiers of 3 West Street, in particular in relation to noise and disturbance; and
 - highway safety.

Reasons

Living conditions

3. The appeal property is in lawful use as a 6-bedroom House in Multiple Occupation (HMO). 5 West Street is also in use as a HMO and consequently neighbouring property 3 West Street is 'sandwiched' between 2 HMOs. As these uses are already in operation, the proposed change of use of the appeal property to a 7-bedroom HMO would not in itself result in No 3 becoming 'sandwiched' between two licenced HMOs or the loss of a family dwelling house.
4. The proposal would provide 7 bedrooms over 3 floors. A communal kitchen/ dining room and living area would be provided to the ground floor. Cycle and refuse/ recycling storage is proposed in the rear garden. Future occupiers would be provided with bedrooms of adequate size, satisfactory communal living facilities and access to a garden. I am not persuaded on the evidence before me that the

activities associated with the occupiers of a 7-bedroom HMO, including their visitors and deliveries, would be discernibly different from those of the existing 6-bedroom HMO. Given the scale of the building there is no evidence that the addition of one bedroom would result in the overdevelopment of the site or unreasonable levels of noise and disturbance to occupiers of neighbouring properties including No 3.

5. I conclude that the proposal would not result in harm to the living conditions of the occupiers of 3 West Street. I therefore find no conflict with policies PSP8 and PSP39 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (2017) (LP) which seek to ensure that proposals do not have an unacceptable impact on the residential amenity of occupiers of nearby properties.
6. As the 'sandwiching' of 3 West Street has already occurred, I find no conflict with the House in Multiple Occupation Supplementary Planning Document (2021) which seeks to ensure that proposals for a change of use to a HMO do not prejudice the amenity of neighbours through the 'sandwiching' of properties between HMOs.

Highway safety

7. The appeal property does not have any off-road car parking. There are parking restrictions on West Street and parking permits are required for on-street parking. At my weekday morning site visit I observed that there was some parking capacity on West Street and the surrounding roads, and that cars parked on these roads did not appear to obstruct the free flow of traffic. Whilst a snapshot in time, I have no evidence to suggest this is not representative of parking demand in the area.
8. The appeal proposal would result in the creation of an additional bedroom within an existing HMO. LP Policy PSP16 states that where planning permission is required for a HMO, a minimum of 0.5 car parking spaces per bedroom should be provided, rounded up to the nearest whole number of spaces. Given this, the proposal results in the requirement for one additional parking space. No additional parking is proposed. The proposal therefore results in a shortfall in parking provision.
9. The existing 6-bedroom HMO has one parking permit and there is no cogent evidence before me that the appellant or the HMO's occupiers would be eligible to apply for an additional permit if this appeal were allowed. Given this, there is no compelling evidence that the proposal would result in additional on-street parking. In any case, I am satisfied that if there was any additional demand for parking resulting from the proposal, this could be accommodated on street without causing parking stress to the occupiers of neighbouring properties or harm to the free flow of traffic or highway safety.
10. Furthermore, the site is in a highly accessible location in relation to shops and other facilities and is within walking distance of the nearest bus stops. Provision for cycle storage would further encourage sustainable modes of travel. Given this, occupants of the HMO have a range of transport modes available to them, and they would not necessarily have to rely on a car for day-to-day requirements. This would likely lessen reliance on the private car and so therefore car parking.
11. I conclude that the proposal would not have an adverse effect on highway safety. I therefore find no conflict with policy CS8 of the South Gloucestershire Local Plan: Core Strategy (2013) and LP policies PSP11 and PSP16 which seek to ensure that residential development proposals are located on safe, useable walking and, or cycling routes that are an appropriate distance to key services and facilities and that

parking provision does not compromise walking, cycling, public transport infrastructure and highway safety. I also find no conflict with the Residential Parking Standards Supplementary Planning Document (2013) which has similar aims.

Other Matters

12. There is no evidence that there is a high concentration of HMOs in the area or that the addition of one bedroom to the existing HMO would have a negative impact on community balance in the area.
13. Comments regarding the precedent for future proposals are noted. However, differing circumstances, and the potential for cumulative harm, would represent matters to be considered were other proposals to be advanced elsewhere in the future.

Conditions

14. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans. I have imposed a condition that secures cycle storage to encourage the use of sustainable modes of travel. A condition relating to the maximum occupancy of the property is necessary in the interests of living conditions and safeguarding neighbouring amenity.

Conclusion

15. For the reasons given above the appeal should be allowed.

N Robinson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1.) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2.) The development hereby permitted shall be carried out in accordance with the following approved plans: 1/WS-01, 1/WS-02, 1/WS-03, WS-06, WS-07, WS-08, 1/WS-09, 1/WS-10.
- 3.) The development hereby permitted shall not be first occupied until the cycle storage facilities indicated on plan 1/WS-10 have been provided on the site. Thereafter the approved cycle storage facilities shall be permanently retained for the storage of cycles.
- 4.) The development hereby permitted shall be occupied by a maximum of 7 persons at any one time.

END OF SCHEDULE OF CONDITIONS